

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

April 2, 2012

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Gary Farley
Commissioner Trey Gooch
Commissioner Jeff Jordan
Commissioner Steve Sandlin
Commissioner Robert Stevens
Commissioner Adam Coggin, C

OTHERS PRESENT:

Ernest Burgess Rhonda Allen
Sonya Stephenson James C. Cope
Laughlin Youree Laura Bohling
James O. Baker Susan Allen
Heather Dawbarn David Adams
Edmond Deslatte Doug Shafer
Becky Shelton

Chairman Coggin presided and called the meeting to order at 5:30 p.m. with six members being present at that time.

MINUTES:

"Commissioner Gooch moved, seconded by Commissioner Farley, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL FOUR VACANCIES ON EQUALIZATION BOARD:

Chairman Coggin advised applications had been received from David L. Adams, James O. Baker, Albert Nelson, Laughlin Youree and Edmond Deslatte for appointment to the Equalization Board. The applicants in attendance addressed the Committee. Following discussion,

"Commissioner Black moved, seconded by Commissioner Farley, to nominate all applicants and vote for four. David L. Adams, James O. Baker, Edmond Deslatte and Laughlin Youree will be recommended for appointment to the Equalization Board with Commissioner Black voting for Adams, Baker, Nelson and Youree; Commissioner Farley voting for Adams, Baker, Deslatte and Youree; Commissioner Gooch voting for Adams, Baker, Deslatte and Youree; Commissioner J. Jordan voting for Adams, Baker, Deslatte and Youree; Commissioner Stevens voting for Adams, Baker, Deslatte and Youree and Chairman Coggin voting for Adams, Baker, Deslatte and Youree."

ROAD BOARD AND SCHOOL BOARD DISTRICTS:

Commissioner Rhonda Allen next provided the draft guidelines provided last month for the Road Board and School Board Zones Study Committee as well as a copy of an e-mail from Election Administrator Nicole Lester wherein she advised she did not have time to serve as a member on a committee right now due to the numerous elections and reapportionment related issues. Ms. Lester provided a summary of the legislation which specified which County Commission districts make up which zones and what election year each one has as well as term length. The prior motion of the Committee was read aloud. Commissioner Farley advised from the e-mail it appears the Election Administrator is too busy and cannot assist the committee. Chairman Coggin inquired if there was any rush or if this committee could wait until after the elections. Commissioner Allen advised although there is no rush she did not want this matter to stall as constituents think this is not going to be done and she would like the review done while the current group of Commissioners are in office. Commissioner Farley advised this study is a vital part of Ms. Lester's job and she asked for the job. Commissioner J. Jordan advised it was his impression in the Redistricting Committee to look at this matter sooner rather than later and the Redistricting Committee knew at the time there would be five elections this year. Commissioner J. Jordan advised written questions could be submitted to Ms. Lester and he stated there were many qualified staff members in that office. Commissioner Shafer addressed the Committee advising the way the prior

motion read the first meeting of any study committee may be July so they would have six months to make a report which would be the first of 2013.

Commissioner Farley advised of the seven current School Board members three have part of LaVergne and only one more is needed for a positive vote to get something passed. Commissioner Shafer advised he was not sure the three were a unified voice and LaVergne wanted a true voice. Commissioner Farley advised he thought Ms. Lester as Election Administrator should be on the study committee as it comes with the job. Mayor Burgess advised it had been a struggle determining the history of the terms and it could not have been done without Ms. Lester who is needed in an advisory role.

"Commissioner Stevens moved, seconded by Commissioner J. Jordan, to approve the prior motion to establish a Committee to include at least one member from the Road Board, School Board and County Commission for a total of three elected officials making application to the Steering Committee; ask the Mayors of LaVergne, Eagleville, Smyrna and Murfreesboro to recommend one citizen (non-office holder) from their respective communities to serve on the Committee for a total of four municipal citizens; accept applications at the Steering Committee from two citizens who reside in the unincorporated areas of Rutherford County for a total Committee make up of nine members. A representative from Rutherford County OIT staff (for GIS purposes) and the County Attorney's Office will attend the meetings and work sessions to serve as resources for this Committee with the Election Administrator or her designated representative in an advisory position to also attend meetings. The Committee will be appointed as soon as possible allowing for sufficient legal notice. The Committee will elect their own Chairman at the first meeting who will give monthly progress reports to the full Commission until such time when a recommendation is made by this Committee. The Committee will make a recommendation to the full Commission within six months from the date of their first meeting."

"Commissioner Farley moved, seconded by Commissioner Gooch, to amend the original motion to take out "or her designated representative". This motion passed unanimously by acclamation."

Commissioner Farley advised he thought the Study Committee would need Ms. Lester's expertise. Commissioner Sandlin advised he thought Ms. Lester should be kept in the loop. Commissioner Farley advised meetings needed to be scheduled when Ms. Lester could attend.

"Commissioner Farley moved, seconded by Commissioner Stevens, to amend the original motion to have the recommendation to the full Commission within nine months instead of six months. This motion passed unanimously by acclamation."

"The original motion passed unanimously by acclamation."

"Commissioner Stevens moved, seconded by Commissioner Sandlin, to incorporate the guidelines for the Road Board and School Board Zones Study Committee by reference. This motion passed unanimously by acclamation."

Mayor Burgess inquired if the guidelines are to be used as guidelines or directives. It was the consensus of the Committee these are guidelines.

HUMAN RESOURCES REPORT:

Sonya Stephenson, HR Director, presented her proposed 12/13 budget for the use and information of the Committee advising she is in agreement with the County Mayor's recommendations. The department has three full-time positions and one part-time position for interns. The increase in the budget is basically due to two employees taking insurance. Following discussion,

"Commissioner Farley moved, seconded by Commissioner J.

Jordan, to approve the 12/13 Personnel Office budget as presented. This motion passed unanimously by acclamation."

Ms. Stephenson next advised for the information of the Committee the name of the Ambulance Service Employee Handbook has been changed to Ambulance Service Standard Operating Procedures. Ms. Stephenson advised the Ambulance Service does work with her department but they are a unique department.

SOCIAL MEDIA POLICY:

Ms. Stephenson advised the Social Media Policy has now been reviewed with the constitutional officers and the wording has been clarified as to the County internet and resources used with guidance as to department web sites or social media. The Committee was advised the County emblem is not trademarked. Commissioner Stevens advised the County can regulate what the employees do on duty but not when they are off duty. County Attorney Cope advised there are some rules in the Employee Handbook that may also apply if an employee does inappropriate postings on social media sites. Following discussion,

"Commissioner Gooch moved, seconded by Commissioner Black, to approve the Social Media Policy as presented deleting the sentence in the Acknowledgement section which reads "I understand that the changes will apply to me regardless of whether I receive actual notice.". This motion passed unanimously by acclamation."

"Commissioner Stevens moved, seconded by Commissioner Farley, to amend the Social Media Policy as to the Open Meetings Act section to clarify because it applies to more than just Commissioners. This motion passed unanimously by acclamation."

DEADLINE FOR COMMITTEE APPOINTMENT APPLICATION SUBMISSIONS:

The Committee was reminded of discussion a couple of months ago regarding the deadline for submission of applications for Committee appointments. Mayor Burgess advised it was reasonable to have a deadline date so the Committee can have time to review the applications. Chairman Coggin advised he agreed with the Mayor but by the same token someone can be nominated from the Commission floor with no application filed and no time to review. Commissioner Farley inquired if CTAS had a policy. Mayor Burgess advised the Rutherford County policy has worked for many years with a couple of exceptions and there is no rule to prohibit a nomination from the Commission floor. County Attorney Cope advised the County has Commission rules which supersede Robert's Rules of Order but the Commission rules are currently silent on this issue. Mr. Cope advised any decision should be incorporated in the Commission Rules & Regulations. Mr. Cope advised deadlines could be established for new candidates at the Commission level but there are a lot of events to consider. The Commission has the authority to make or change rules.

Commissioner Sandlin advised the timeframe was previously established because of using the U.S. Postal Service but using e-mail is quicker and suggested considering the Friday before Steering meets on Monday. The Committee discussed the fact if 4:30 is used then the applications may not get sent out until Monday a.m. and all Commissioners may not have time to review if sent the day of the meeting. Commissioner Sandlin advised it needed to be tightened up on the Commission floor if the Steering Committee is by-passed and may want to require a 2/3 vote instead of a majority vote. Mayor Burgess suggested making the deadline one or two business days before the Steering Committee meeting in case the established meeting date of the Steering Committee is changed in the future.

"Commissioner J. Jordan moved, seconded by Commissioner Stevens, to set a deadline for appointment applications of 4:30 p.m. one (1) week (five [5] County business days) prior to Steering Committee meeting and incorporate this in the Commissioner Handbook. This motion was withdrawn."

Chairman Coggin questioned if an application was received late how it would be handled. Commissioner Farley advised it would be no different than Human Resources receiving a job application after the deadline and it is considered unsolicited. Commissioner Gooch advised he wanted to be able to consider anyone and he may not support a deadline and suggested whiting out the seven day policy on the applications and to consider all applications no matter when submitted. Commissioner Gooch advised if there is a deadline then the Committee cannot consider an application after the deadline. Commissioner Stevens advised if there is a deadline and there have been no applications received or an insufficient number of applications received then would need an amendment to consider other applicants. County Attorney Cope advised any rule can apply to the Committee and may not apply to the Commission. Steering Committee is a recommending body to the Commission and is not binding on the Commission. Commissioner Gooch advised a deadline limits the ability to consider constituents. Mayor Burgess advised the current practice is not an official rule. Commissioner Stevens advised he would like to think about the issue more.

"Commissioner Stevens moved to defer the matter which motion was withdrawn."

Mayor Burgess advised there are too many scenarios on the table to craft a document at this time. Commissioner Gooch ask if the sentence regarding an application deadline could be taken off the application and Mayor Burgess advised it could.

"Commissioner Gooch moved, seconded by Commissioner Sandlin, to take off the sentence in brackets "(APPLICATIONS MUST BE RECEIVED ONE WEEK PRIOR TO STEERING MEETING – PRESENCE AT STEERING COMMITTEE IS STRONGLY REQUESTED WHEN APPOINTMENT IS CONSIDERED)" on the Application for Appointment immediately and bring this matter back next month for continued discussion. This motion passed unanimously by acclamation."

There appearing to be no further business to come before the Committee, Chairman Coggin declared the meeting adjourned at 7:30 p.m.

ADAM COGGIN, Chairman